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September 21, 2011

By Hand and Email

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The Honorable Paul A. Crotty
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

USDC SDNY
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DATE FILED: **22 SEP 2011**

Re: **Syncora Guarantee Inc. v. EMC Mortgage Corp.**
No. 09 CV 3106 (PAC) (AJP) (S.D.N.Y.)

Dear Judge Crotty:

We represent plaintiff Syncora Guarantee Inc. ("Syncora") in the above-referenced action. We write with the consent of defendant EMC Mortgage Corp. ("EMC") to request a status conference with the Court to address the pre-trial schedule and pending issues that bear on the schedule. Of particular significance, the parties agree that (i) a two-month extension of the current schedule is required in view of the outstanding discovery, and (ii) the resolution of Syncora's request for a pre-motion conference to brief a "causation" issue, as well as certain discovery issues raised by both parties that are or shortly will be before the Court, is required to assess the scope and preparation of this matter going forward.

The parties are available for a conference at Your Honor's convenience.

Respectfully submitted,



Erik Haas

cc: Robert A. Sacks, Esq. (via e-mail)
John M. Callagy, Esq. (via e-mail)
Richard A. Edlin, Esq. (via e-mail)
Eric N. Whitney, Esq. (via e-mail)

Application GRANTED. The conference is Set For Weds,
10/12/11 at 3:45 pm in Courtroom 9A.

4927622v.1

SO ORDERED: 22 SEP 2011


HON. PAULA A. CROTTY
UNITED STATES DISTRICT JUDGE

MEMO ENDORSED